

DOCKET NO.: DEY-0002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Stanley H. Zlotkin

PATENT

RECEIVED

APR 18 2002

TECH CENTER 1600/2900

Serial No.: 09/257,902

Group No.: 1616

Filing Date: February 25, 1999

Examiner: K. George

For: COMPOSITION COMPRISING MICRO-ENCAPSULATED IRON

04/16/2002 HDEMESS1 00000062 09257902

01 FC:219 160.00 OP

04/16/2002 HDEMESS1 00000062 09257902

02 FC:217 460.00 OP

DATE OF DEPOSIT: April 5, 2002

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO BOX AF, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

Mark DeLuca
REGISTRATION NO.: 33,229

BOX AF

Assistant Commissioner for Patents
Washington DC 20231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS OR, IN THE ALTERNATIVE, REQUEST FOR
CONTINUED EXAMINATION**

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed October 10, 2001 rejecting claims 7-30 of the above-identified patent application or, in the alternative, if such Appeal is deemed untimely, Applicant hereby request Request for Continued Examination of the application.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

- ☒ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization

2. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1)-(4)) for the total number of months checked below:

	SMALL ENTITY		NOT SMALL ENTITY	
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$200	\$	\$400	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$460	\$460	\$920	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$980	\$	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$)	minus	(\$)
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$160	\$160	\$320	\$
TOTAL FEE DUE		\$620		

3. FEE PAYMENT

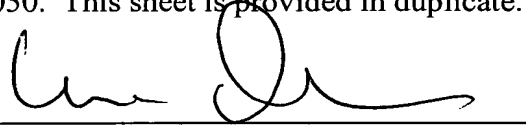
- ☒ A check in the amount of \$620.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$__. A duplicate of this transmittal is attached.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

4. ALTERNATIVE REQUEST FOR CONTINUED EXAMINATION

- ☒ In the event that this Notice of Appeal is deemed improper, as premature, under 37 C.F.R. 1.191, Applicant hereby requests that the Examiner enter a Request for Continued Examination pursuant to 37 C.F.R. 1.114. The Commissioner is further authorized to charge any fees related to any such Request for Continued Examination to deposit account 23-3050. This sheet is provided in duplicate.

Date:

4/5/02



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